

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

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IN THE MATTER OF THE PETITION)
OF NEUTRAL TANDEM-INDIANA, LLC. FOR A)
CERTIFICATE OF TERRITORIAL AUTHORITY)
TO PROVIDE SPECIAL ACCESS LOCAL)
EXCHANGE, RESOLD AND FACILITIES-BASED)
TELECOMMUNICATIONS SERVICES)
THROUGHOUT THE STATE OF INDIANA, FOR)
DECLINATION OF COMMISSION)
JURISDICTION UNDER I.C. 8-1-2.6, FOR)
AUTHORITY TO PROVIDE CALLER ID)
SERVICES PURSUANT TO I.C. 8-1-2.9, AND)
FOR CONSENT FOR USE OF PUBLIC RIGHTS)
OF WAY PURSUANT TO I.C. 36-2-2-23)

CAUSE NO. 42731

FILED

OCT 20 2004

INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On October 19, 2004 pursuant to 170 I.A.C. 1-1.1-4, Neutral Tandem-Indiana, LLC ("Petitioner") filed a *Request for Confidential Treatment* ("Request") in this Cause. In its Request, the Petitioner indicates that certain financial information that it intends to submit in this matter contains confidential information ("Confidential Information") as that term is defined under Indiana Code 24-2-3-2. Information containing confidential information is excepted from public disclosure under Indiana Code 5-14-3-4(a)(4). In support of its Motion, the Petitioner includes the sworn *Affidavit* of Robert Junkroski ("Affidavit"). The Affidavit has been placed in the Commission's official file in this matter and is hereby incorporated by reference.

170 I.A.C. 1-1.1-4 governs the submission of confidential or privileged information to the Commission, and requires the applicant to apply for a finding by the Commission that the information is confidential. The application must be accompanied by the sworn statement or testimony of a party that describes: 1) the nature of the confidential information; 2) the reasons why the information should be treated as confidential pursuant to I.C. 8-1-2-29 and I.C. 5-14-3; and, 3) the efforts the party has made to maintain the confidentiality of the information.

The Presiding Officer, having considered Petitioner's Request and accompanying Affidavit, finds there is sufficient basis for determination that the Confidential Information should be held as confidential by the Commission on a preliminary basis. Accordingly, Petitioner shall hand deliver to the Presiding Administrative Law Judge, in a sealed envelope clearly marked confidential, with the Cause No. noted thereon, the Confidential Information which shall be treated as confidential on a preliminary basis and excepted from public disclosure in accordance with Indiana Code 5-14-3.

IT IS SO ORDERED.

Date:

October 20, 2004
Lorraine Hitz-Bradley
Lorraine Hitz-Bradley, Administrative Law Judge